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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

BY:



Date:

July 6, 2004

MAIL STOP AF

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Patent Application of :  
Mariko Miyashita, *et al.* :  
Conf. No.: 3194 : Group Art Unit: 1641  
Appln. No.: 09/420,719 : Examiner: K. Padmanabhan  
Filing Date: October 20, 1999 : Attorney Docket No.: 10059-308  
Title: SAMPLE TREATING KIT AND SAMPLE TREATING METHOD USING THE  
SAME FOR ANALYSIS WITH A BIOSENSOR (P21541-01)

**NOTICE OF APPEAL FROM PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Decision dated February 5, 2004, Paper No. 26, of the Primary Examiner finally rejecting claims 19, 24, 25 and 29.

The items checked below are appropriate:

- A Petition for Extension of Time with extension fee for one month to June 6, 2004 to respond to the final rejection was filed on June 6, 2004.
- A Petition for Extension of Time for an additional month to file the Notice of Appeal and the requisite balance of the extension fee in the amount of \$ 310.00 are enclosed.
- Notice of Appeal fee is enclosed (if applicable)
  - \$165.00 - Small Entity has been previously established in this case.
  - \$330.00.
  - Not required (fee paid in prior appeal).
- An oral hearing before the Board of Appeals is respectfully requested. Requisite fee is enclosed.
  - \$145.00 – Small Entity has been previously established in this case.
  - \$290.00.
- Our firm's checks totaling \$640.00 are enclosed.

- [X] The Commissioner is hereby authorized to charge and/or credit Deposit Account No. 50-1017 (Billing No. 210059.0308) for any overpayments or deficiencies in the above-calculated fee. A duplicate copy of this notice is enclosed.

Respectfully submitted,

**MARIKO MIYASHITA, et al.**

6 July 2004  
(Date)

By:

Kristyne A. Bullock

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